C.S.1001 — SINGLE BENCH 3

BEFORE THE HIGH COURT OF CHHATTISGARH AT BILASPUR

P.R. No. 13036 Presented by S.K. Verma dated 8/3/06

W.P. NO. 1235/2006(SB)
Service Matters.

PETITIONER : Asim Das aged about 38 years, s/o Shri S. M.Das, r/o Q. No.71-B, Ruabanda Sector, P.O. Bhilai Distt.Durg (C.G.) (Designation : Pharmacist, P.No. 154290, Medical Department.)

VERSUS

RESPONDENTS 1. Steel Authority of India Ltd, Bhilai Steel Plant through Managing Director, P.O. Bhilai, Distt. Durg (C. G.)

2. Director, Medical & Health Services, Bhilai Steel Plant, P.O. Bhilai, Distt. Durg. (C. G.)

3. General Manager, Township, Bhilai Steel Plant, P. O. Bhilai, Distt. Durg. (C. G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA-- FOR ISSUANCE OF A WRIT OF CERTIORARI AND MANDAMUS AND ANY OTHER WRIT / DIRECTION/ ORDER.

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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

W. P. No. 1235 OF 2006

Petitioner	:	Asim Das
	Versus	
Respondents	:	Steel Authority of India Ltd, & Ors.

Shri B.R. Ghosh, counsel for the petitioner.

Shri P.Diwakar, senior counsel with Miss. Sunita Jain, counsel for the respondents.

ORAL ORDER

(30th March, 2006)

1. The petitioner was convicted for the offence under Section 307 of the Indian Penal Code and was sentenced to life imprisonment.

2. Consequently, thereupon B.S.P. by its order dated 24.7.2001 (Annexure P-1) terminated the services of the petitioner under Clause 32 Standing Orders (Plant).

3. The petitioner was directed by the same order to vacate company's quarter in his occupation, within a period of one month. It was further stated that failing which, he shall be liable to be evicted under the Provisions of Public Premises (Eviction of Unauthorized Occupants) Act 1971.

4. Learned counsel for the petitioner submits that the petitioner should not vacate company's quarter

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because the petitioner was serving life imprisonment in jail.

5. The petitioner has filed this petition on 8.3.2006 after a period of about five years.

6. The petition deserves to be dismissed firstly on the ground of the unexplained and inordinate delay, secondly, the impugned order dated 24.7.01 is perfectly valid and legal, keeping in view the facts of the case that the petitioner was convicted for the offence under Section 307 of the Indian Penal Code and he was sentenced to life imprisonment. For the reasons stated above, the petition is dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge